

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Hiroaki SUDO Art Unit 2617  
Appln. No.: 10/500,721 Exr. C. Brandt  
Filed: July 6, 2004 Conf. No. 6718  
For: CODE DIVISION MULTIPLE ACCESS TRANSMITTING APPARATUS HAVING PLURAL SPREADING SECTIONS THAT PERFORM SPREADING PROCESSING SEPARATELY FOR A RETRANSMISSION SIGNAL USING DIFFERENT SPREADING CODES

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF DATED MARCH 13, 2009

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Applicant respectfully traverses the erroneous Notice of Non-Compliant Appeal Brief dated March 13, 2009 and requests reconsideration and withdrawal thereof.

The above points were discussed with Legal Instruments Supervisor Sharmalla Coates on April 13, 2009, who agreed that the notice was improper and indicated that the Notice would be withdrawn.

Withdrawal of the Notice is therefore respectfully requested.

Respectfully submitted,

/James Edward Ledbetter/

Date: April 13, 2009 James E. Ledbetter  
JEL/jcw Registration No. 28,732

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